

JOHN F. COOK  
MAYOR

JOYCE WILSON  
CITY MANAGER



**CITY COUNCIL**  
ANN MORGAN LILLY, DISTRICT 1  
SUSANNAH M. BYRD, DISTRICT 2  
J. ALEXANDRO LOZANO, DISTRICT 3  
MELINA CASTRO, DISTRICT 4  
PRESI ORTEGA, JR., DISTRICT 5  
EDDIE HOLGUIN JR., DISTRICT 6  
STEVE ORTEGA, DISTRICT 7  
BETO O'ROURKE, DISTRICT 8

## **AGENDA FOR SPECIAL CITY COUNCIL MEETING**

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**November 27, 2006**  
**10<sup>th</sup> Floor Conference Room, City Hall**  
**4:00 p.m.**

AGENDA: Question and answer session with staff on the items listed on the Agenda posted for the Regular City Council Meeting of Tuesday, November 28, 2006. No deliberations among the Council members will be held and no action will be taken during this meeting on the items posted on the Agenda.

## **AGENDA FOR REGULAR CITY COUNCIL MEETING**

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**November 28, 2006**  
**Council Chambers, City Hall**  
**8:30 a.m.**

After the meeting is convened, the City Council shall consider the following items in the following order no sooner than the designated times, but may consider them at a later time.

8:30 a.m.: Roll call and Executive Session\*  
9:00 a.m.: Invocation and Pledge of Allegiance  
9:00 a.m.: Ceremonial items followed by all other items posted on the Agenda

\*At any time during the Council meeting, the City Council may meet in executive session pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss items as permitted by law.

**Invocation – Reverend Lisle Davis**  
**Pledge of Allegiance**

### **MAYOR'S PROCLAMATIONS**

- 1. CHRISTMAS TREE LIGHTING**
- 2. EL PASO GREEN TEAM**

**CALL TO THE PUBLIC – PUBLIC COMMENT**

**This time is reserved for members of the public who would like to address the City Council on items that are not on the City Council Agenda.**

A sign-up form is available on line at [https://www.elpasotexas.gov/city\\_clerk/contact\\_public.asp](https://www.elpasotexas.gov/city_clerk/contact_public.asp) for those who wish to sign up in advance of the meeting date and a sign-up form is available outside the City Council Chambers at the City Clerk table for those who wish to sign up on the day of the meeting.

Requests to speak must be received by 9:00 a.m. on the date of the meeting.

30 Minutes total is allotted for speakers.

Three to five minutes may be allowed for each speaker.

**NOTICE TO THE PUBLIC**

All matters listed under the CONSENT AGENDA, including those on the Addition to the Agenda, will be considered by City Council to be routine and will be enacted by one motion unless separate discussion is requested by Council Members. Prior to the vote, members of the audience may ask questions regarding items on the consent agenda. When the vote has been taken, if an item has not been called out for separate discussion, the item has been approved. Council may, however, reconsider any item at any time during the meeting. The wording of all agenda items shall appear in the minutes of this meeting of the City Council as posted, unless otherwise revised by this or other motion of Council, without the necessity of the City Clerk reading the wording of each item into the record.

**CONSENT AGENDA**

**1. APPROVAL OF MINUTES:** [Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

Approval of Minutes for Regular City Council Meeting of November 21, 2006, and the Special City Council Meeting of November 20, 2006 (Agenda Review).

**2. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:**

Mayor John F. Cook

**3. RESOLUTION(S):**

**3A.** That the City Manager be authorized to sign "Supplemental Lease Agreement No. 2, Revised" to Lease No. GS-07B-15258 by and between the City of El Paso ("Lessor") and the United States of America ("Lessee") for clarification of existing terms and conditions regarding the Transportation Security Administration's rental of space in the El Paso International Airport terminal building. **(District 3)** [Airport, Patrick T. Abeln, (915) 780-4724]

**3B.** That the City's 2006-2007 Annual Action Plan of the Consolidated Plan for 2005-2010 be amended by adding The Neighborhood Clean-up Campaign in Neighborhood Revitalization Strategy Areas project in the amount of \$20,000 to the 32<sup>nd</sup> Year (2006-2007) Community Development Block Grant Program. **(Districts 2, 3, & 8)** [Community and Human Development, William Lilly, (915) 541-4643]

- 3C.** That the City Manager be authorized to sign an Employment Agreement between the City of El Paso and Federico Fernandez, Jr. to employ Federico Fernandez, Jr. as a PC LAN Specialist III for the El Paso Water Utilities at a biweekly rate of \$1,924.92. The term of the contract shall be for the period of November 29, 2006, through November 28, 2007. Fund Source: 702-810 [El Paso Water Utilities, Fred Loweree, (915) 594-5501]
- 3D.** A Resolution authorizing the Mayor to sign affidavits required for the Texas Department of Transportation (TXDOT) matching fund adjustment for economically disadvantaged counties for TXDOT Transportation Project Applications for 2007 through 2009. **(All Districts)**  
[Engineering Department, Teresa Quezada, (915) 541-4771]
- 3E.** That the City Council finds that the fee reductions for those non-profit organizations described in the El Paso Museum of Art Facility Rental Policy dated October 3, 2006, constitute an important public purpose or benefit to the City and citizens of El Paso for which the City is willing to utilize City resources and provide services in order to directly support the mission of the El Paso Museum of Art and advance the spirit of the public education and public service program aspect of the mission of the El Paso Museum of Art. **(All Districts)**  
[El Paso Museum of Art, Michael A. Tomor, (915) 532-1707]

**4. SPECIAL APPOINTMENT(S):**

- 4A.** Appointment of Michele C. Daly as Assistant City Attorney effective December 4, 2006. [City Attorney's Office, Charlie McNabb, (915) 541-4550]
- 4B.** Appointment of William L. Lilly as Community and Human Development Interim Director effective November 28, 2006. [City Manager, Joyce A. Wilson, (915) 541-4844]

**5. BID(S):**

The award of Solicitation No. 2006-199, Vocational Trucks (Dump Trucks and Rolloff Trucks), to Border International Trucks for a total award of \$465,670.00.

|                     |   |
|---------------------|---|
| Department:         | General Services/Fleet Division   |
| Award to:           | Border International Trucks   |
|                     | El Paso, Texas  |
| Item(s):            | 1A (Dump Truck) - Qty. 2 @ \$104,525.00/each  |
|                     | 2A (Rolloff Truck) - Qty. 2 @ \$128,310.00/each   |
| Option:             | Vendor offers options to purchase up to one hundred percent (100%) of the original contract quantities, at the same unit price, if the option is exercised within ninety (90) days and/or one hundred eighty (180) days from the date of award of the contract. |
| Account No.:        | 508006-27507-37150068-PFLESVC01   |
| Funding Source:     | Equipment Replacement Fund  |
| Total Award:        | \$465,670.00  |
| <b>District(s):</b> | <b>All</b>  |

This is a fixed-price, single (one-time) purchase.

No prompt payment discount was offered.

The Departments of Financial Services and General Services recommend award as indicated to the lowest responsive, responsible bidder.

[Financial Services, Terrence Freiburg, (915) 541-4313]

**6. BUDGET TRANSFERS:** [Office of Management and Budget, David Almonte, (915) 541-4011]

BT2007-330 NON-DEPARTMENTAL

Budget Transfer will allocate funds in the City Clerk's budget to fund the Interpreter and Translation Services for the City Council meetings.

Decrease \$35,600 from Contingency

Increase \$35,600 to Outside Contracts

**(All Districts)**

**7. DEVELOPMENT AND INFRASTRUCTURE SERVICES:**

Council Ratification of the Storm 2006 professional services contracts listed on the attachment posted with this agenda. Such contracts were entered into by the City Manager under the authority granted by Council in the September 19, 2006 Resolution. (Attachment A). [Development and Infrastructure Services, Patricia D. Aduato, (915) 541-4853]

**REGULAR AGENDA - INTRODUCTIONS**

**8. INTRODUCTION OF ORDINANCES PURSUANT TO SECTION 3.9 OF THE EL PASO CITY CHARTER:**

**Public comment typically is not taken during the introduction of ordinances.**

**Public comments are invited at the date of the scheduled public hearing.**

**8A.** An Ordinance changing the zoning of Parcel 1: a portion of Lots 14-26, Block 4, Hughes Subdivision, City of El Paso, El Paso County, Texas, from R-5 (Residential) to M-2 (Manufacturing); and Parcel 2: Lots 9-12, and a portion of Lot 13, Block 4, Hughes Subdivision of Block 2, Alameda Acres, City of El Paso, El Paso County, Texas, from R-5 (Residential) to M-2 (Manufacturing). The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: Parcel 1: 5713 – 5717 Welch Avenue; and Parcel 2: 218 Glenwood Drive. Applicant: George Valenzuela. ZON06-00097 **(District 3)**.

**THIS IS AN APPEAL CASE.**

[Development Services/Planning, Stephen Schlett, (915) 541-4935]

**8B.** An Ordinance changing the zoning of Lots 15 and 16, Block 86, Franklin Heights, City of El Paso, El Paso County, Texas, from R-5 (Residential) to A-O (Apartment/Office). The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: 1207 Arizona Avenue. Applicants: Roberto & Ludivina Ramirez. ZON06-00115 **(District 8)**

[Development Services/Planning, Stephen Schlett, (915) 541-4935]

**8C.** An Ordinance changing the zoning of Parcel 1: a portion of Tract 1A3, Section 38, Block 79, Township 2, Texas & Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas, from R-3 (Residential) to C-2 (Commercial); and Parcel 2: a portion of Tract 1A, Section 38, Block 79, Township 2, Texas & Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas, from

R-3 (Residential) to C-3 (Commercial) The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: 9742 North Loop Road. Applicant: Camino Real Properties I, Limited. ZON06-00122 **(District 5)**  
[Development Services/Planning, Stephen Schlett, (915) 541-4935]

- 8D.** An Ordinance changing the zoning of the West 76 feet of Tract 16, all of Tract 17 and 1/2 of the adjacent closed Maryland Road of Griems Subdivision of Block B of the Collingsworth Subdivision, an addition to the City of El Paso, El Paso County, Texas, from A-2 (Apartment) to C-4 (Commercial). The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: 6001 Griems Court. Applicant: Ruben and Carmen Perea. ZON06-00103 **(District 3)**  
**THIS IS AN APPEAL CASE.**

[Development Services/Planning, Esther Guerrero, (915) 541-4720]

- 8E.** An Ordinance changing the zoning of Lots 25 and 26, Block 2, Val Verde Addition, El Paso, El Paso County, Texas, from M-1 (Light Manufacturing) to C-4 (Commercial) and imposing a condition. The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: North of Alberta and West of Concepcion. Applicant: Paul Enriquez, Fernando Enriquez, Linda Carrasco. ZON06-00116 **(District 3)**

[Development Services/Planning, Arlan Greer, (915) 541-4723]

- 8F.** An Ordinance changing the zoning of Tract 11B, Block 9, Upper Valley Surveys, City of El Paso, El Paso County, Texas, from R-F (Ranch and Farm) to R-2 (Residential) and imposing conditions. The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: North of Ada Lane and West of Valley. Applicant: Enrique Escobar. ZON06-00125 **(District 1)**

[Development Services/Planning, Arlan Greer, (915) 541-4723]

## **PUBLIC HEARING WILL BE HELD ON DECEMBER 19, 2006, FOR ITEMS 8A – 8F**

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9:00 a.m. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances; no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8:00 a.m. to 5:00 p.m.

## **REGULAR AGENDA – PUBLIC HEARINGS**

### **9. PUBLIC HEARING(S) – DEVELOPMENT SERVICES**

- 9A.** An Ordinance changing the zoning of Parcel 1: a portion of Lots 2, 3, and 4, Block 8, Rocket Warehouse Park Unit Two; a portion of Lot 1, Block 1, Rocket Warehouse Park Unit Three; and a portion of Tracts 1D1 And 7C, Section 31, Block 80, Township 1, Texas and Pacific Railway Company Surveys, El Paso, El Paso County, Texas; from C-4 (Commercial) to PR-1 (Planned Residential 1); and Parcel 2: a portion of Tracts 1D1 And 7C, Section 31, Block 80, Township 1, Texas and Pacific Railway Company Surveys, El Paso, El Paso County, Texas, from C-4 (Commercial) to A-M (Apartment and Mobile Home Park). The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: Dyer Street near Ameen Avenue. Applicant: Cardon and Pratt. ZON06-00054.

**(District 4)** [Development Services/Planning, Christina Valles, (915) 541-4930]

POSTPONED FROM 09-26-06 AND 10-17-06

- 9B.** An Ordinance amending the 2025 Proposed Thoroughfare System as detailed in the Map Atlas of the Plan for El Paso and its related documents as originally approved by the El Paso City Council in 1999, and as subsequently amended, to delete the proposed Camelot Heights Drive as a minor arterial between Stanton Street and Mesa Drive. Applicant: SBS Development Company, LLC. **(District 1)** [Development Services/Planning, Christina Valles, (915) 541-4930]  
POSTPONED FROM 11-07-06
- 9C.** An Ordinance changing the zoning of Tract 3-G, Block 2, and a portion of Tract 19A, Block 2, Ysleta Grant, City of El Paso, El Paso County, Texas, from R-F (Ranch and Farm) to C-4 (Commercial). The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: 9742 North Loop Road. Applicant: Quantum Engineering Consultants. ZON06-00109 **(District 6)** [Development Services/Planning, Stephen Schlett, (915) 541-4935]
- 9D.** An Ordinance changing the zoning of Lots 29-32, Block 16, Del Norte Acres, El Paso, El Paso County, Texas, from A-2 (Apartment) to A-O (Apartment/Office). The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: 8924 Gateway North. Applicant: Enrique Escobar. ZON06-00104 **(District 2)**  
[Development Services/Planning, Melissa Granado, (915) 541-4730]
- 9E.** An Ordinance changing the zoning of a portion of Lot 18, Block 26, Regal Crest Unit 5, Replat A, El Paso, El Paso County, Texas, from R-3 (Residential) to R-3A (Residential). The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: North of Thorn Avenue and West of Bishop Flores Drive. Applicant: Church of Grace of El Paso. ZON06-00107 **(District 1)**  
[Development Services/Planning, Melissa Granado, (915) 541-4730]
- 9F.** An Ordinance granting Special Permit No. ZON06-00118 to satisfy parking requirements for Parcel I, described as Lot 20, Block 8, Cotton Addition, El Paso, El Paso County, Texas; by allowing off-site, off-street parking on Parcel II, described as Lot 10 and the East 11.75 feet of Lot 9 and the West ½ of Lot 11, Block 16, Cotton Addition, El Paso, El Paso County, Texas, (2229 Yandell Drive) and Parcel III, described as the South portion of Lots 21-25, Block 8, Cotton Addition, El Paso, El Paso County, Texas, (2216 Yandell Drive) pursuant to Section 20.42.040 of the El Paso Municipal Code. The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Subject Property: Parcel 1: 2224 Yandell Drive, Parcel 2: 2229 Yandell Drive, and Parcel 3: 2216 Yandell Drive. Applicant: Duncan Crowell. ZON06-00118 **(District 8)**  
[Development Services/Planning, Melissa Granado, (915) 541-4730]
- 9G.** An Ordinance granting Special Permit No. ZON06-00117 to allow for a parking reduction on the property described as Lot 20, Block 8, Cotton Addition, City of El Paso, El Paso County, Texas, pursuant to Section 20.42.040 of the El Paso City Code. The penalty being as provided in Chapter 20.68 of the El Paso City Code. Subject Property: 2224 Yandell Drive. Applicant: Duncan Crowell. ZON06-00117 **(District 8)**  
[Development Services/Planning, Melissa Granado, (915) 541-4730]
- 9H.** An Ordinance vacating all of the 20-foot wide alley within Block 54, Kern Place Addition, City of El Paso, El Paso County, Texas. Subject Property: West of

Stanton between Althea Park and Kern. Applicant: El Paso Independent School District. AV06005. **(District 1)**

[Development Services/Planning, James Fisk, (915) 541-4638] **POSTPONED FROM 11-14-06**

- 9I.** An Ordinance amending Title 2 (Administration and Personnel) of the City Code of El Paso, Chapter 2.38 (Building and Standards Commission), Section 2.38.030 (Membership and Terms), Subsection C to delete the date of commencement of terms. **(All Districts)**

[Development Services, R. Alan Shubert, (915) 541-4557]

- 9J.** An Ordinance amending Title 2, Administration and Personnel, Chapter 2.16, Zoning Board of Adjustment, Section 2.16.050, Special Exceptions, of the El Paso City Code to amend certain special exceptions as to space, yards and setbacks. The penalty is as provided in Chapter 20.68 of the El Paso City Code.

**(All Districts)** [Development Services/Planning, Linda Castle, (915) 541-4029]

#### **10. PUBLIC HEARING(S) – COMMUNITY DEVELOPMENT:**

An Ordinance amending Title 2 (Administration and Personnel) of the El Paso City Code by amending Chapter 2.102 (Neighborhood Association Recognition) in its entirety.

**(All Districts)** [Community and Human Development, William Lilly, (915) 541-4500]

#### **11. PUBLIC HEARING(S) – ENGINEERING:**

- 11A.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.200 (Schedule XVII--Restrictions on Parking in Residential Districts), of the El Paso City Code, to add Zone L: No Parking Anytime, on Sixth Avenue between Mesa Street and the alley East of Mesa Street thereof, north side. The penalty being as provided in Section 12.84.010 (Violation--Penalty) of the El Paso City Code. **(District 8)**

[Engineering Department, Traffic Division, Ted Marquez, 915 541-4035]

- 11B.** An Ordinance amending Title 13 (Streets, Sidewalks and Public Places), Chapter 13.04 (Street and Sidewalk Construction and Maintenance), Section 13.04.040 (Construction of Sidewalks on Order of City), of the El Paso City Code, to delete the entire section. **(All Districts)** [Engineering Department, Rick Conner, (915) 541-4423]

### **REGULAR AGENDA – OTHER BUSINESS**

#### **12. DEVELOPMENT SERVICES:**

- 12A.** Discussion and action on Conditional B permit for Sandstone Ranch Unit 1 Subdivision. **(District 4)**

[Development Services Department, R. Alan Shubert, (915) 541-4557]

- 12B.** Discussion and action on Conditional B permit for Sombras Del Sol Unit 4 Subdivision. **(District 5)**

[Development Services Department, R. Alan Shubert, (915) 541-4557]

**13. ENGINEERING:**

Discussion and action to direct the staff to proceed with the Zaragosa Overpass Project. **(Districts 6 and 7)** [Engineering Department, Teresa Quezada, (915) 541-4771]

**14. FINANCIAL SERVICES – BEST VALUE PROCUREMENT:**

Discussion and action on the award of Solicitation No. 2006-179 for Rawlings Dental Health Clinic Project to CPME, L.L.C., of El Paso, Texas for a total estimated amount of \$786,068.00.

|                        |                                       |
|------------------------|---------------------------------------|
| Departments:           | City/County Health                    |
| Award to:              | CPME, L.L.C.                          |
|                        | El Paso, Texas                        |
| Items:                 | Base Bid I: \$786,068.00              |
| Account No:            | G7131CD0024-71150069-07846-508027     |
|                        | G7131CD0024-31135001-27124-508027     |
|                        | G7131CD0024-31250204-60503-508027     |
| Funding Source:        | Community Development B-05-MC-48-0024 |
|                        | Certificates of Obligation FY 98A     |
|                        | Certificates of Obligation FY 02      |
| Total Estimated Award: | \$ 786,068.00                         |
| <b>District(s):</b>    | <b>8</b>                              |

It is requested that the City Manager of the City of El Paso be authorized to sign any contracts or other documents required to effectuate this award.

As part of the award of this contract, the City Engineer is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order without further authorization by City Council.

This is a lump-sum contract. The Financial Services and City/County Health Departments recommend award to the bidder offering the best value bid.  
[Engineering Department, Rick Conner, (915) 541-4423]

**15. MUSEUMS AND CULTURAL AFFAIRS:**

Discussion and action on a Resolution that the Year 2007 Public Art Plan for the City of El Paso, Texas, be officially adopted, as is on file with the Office of the City Clerk, and incorporated herein for all intents and purposes. **(All Districts)**  
[Museums and Cultural Affairs, Yolanda Alameda, (915) 541-4896] **POSTPONED FROM 11-14-06**

**EXECUTIVE SESSION**

The City Council of the City of El Paso may retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss any of the following: (The items listed below are matters of the sort routinely discussed in Executive Session, but the City Council of the City of El Paso may move to Executive Session any of the items on this agenda, consistent with the terms of the Open



Meetings Act.) The City Council will return to open session to take any final action and may also, at any time during the meeting, bring forward any of the following items for public discussion, as appropriate.

|                 |  |
|-----------------|--|
| Section 551.071 | CONSULTATION WITH ATTORNEY                               |
| Section 551.072 | DELIBERATION REGARDING REAL PROPERTY                     |
| Section 551.073 | DELIBERATION REGARDING PROSPECTIVE GIFTS                 |
| Section 551.074 | PERSONNEL MATTERS  |
| Section 551.076 | DELIBERATION REGARDING SECURITY DEVICES                  |
| Section 551.087 | DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS |

Discussion and action on the following:

- EX1.** Rafael Gardon vs. City of El Paso; Cause No. 2003-493 (551.071).  
[City Attorney's Office, Jennifer F. Callan, (915) 541-4550]
- EX2.** Discussion and action regarding the El Paso Firemen and Policemen's Pension Fund (551.071). [City Attorney's Office, Laura P. Gordon, (915) 541-4550]
- EX3.** Legal advice regarding the City-County Health District. (551.071)  
[City Attorney's Office, Laura P. Gordon, (915) 541-4550]

**NOTICE TO THE PUBLIC:**

Sign Language interpreters are provided for regular City Council meetings. Copies of this Agenda will be provided in Braille, large print, or audiotape upon requests made a minimum of 48 hours prior to the meeting.

Hearing Assistance Devices are available upon request.

**ALL CITY COUNCIL AGENDAS ARE PLACED ON THE INTERNET EVERY FRIDAY AT THE ADDRESS BELOW:**

<http://www.elpasotexas.gov/>